

1 BILL NO. R-81-09- 30

2 DECLARATORY RESOLUTION NO. R- 98-81

3
4 A DECLARATORY RESOLUTION designating
5 an "Urban Development Area" under
6 I.C. 6-1.1-12.1.

7 WHEREAS, Petitioner has duly filed its Petition dated
8 September 3, 1981, to have the following described property
9 designated and declared an "Urban Development Area" under
10 Division 6, Article II, Chapter 2 of the 1974 Municipal Code and
11 I.C. 6-1.1-12.1, to-wit:

12 Lot Number 489 in Hanna's Addition to
13 the City of Fort Wayne, according to
14 the recorded plat thereof,

15 located at and commonly known as:

16 120 West Wayne Street
17 Fort Wayne, Allen County, Indiana.

18 WHEREAS, it appears that said Petition should be pro-
19 cessed to final determination in accordance with the provision
20 of said Division 6.

21 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
22 THE CITY OF FORT WAYNE, INDIANA:

23 SECTION 1. That, subject to the requirements of Section
24 2 below, the above described property is hereby designated and
25 declared an "Urban Development Area" under I.C. 6-1.1-12.1.

26 SECTION 2. That the foregoing is subject to:

- 27 (a) An affirmative ("Do Pass") recommendation
28 by the Fort Wayne Redevelopment Commission,
29 after due hearing, analysis and study in
30 accordance with the provisions of Division
31 6, Article II, Chapter 2 of the Municipal
32 Code of the City of Fort Wayne, Indiana
of 1974.
- (b) Final confirmation hereof by due passage
upon the final vote hereon.

SECTION 3. That this Resolution shall be effective upon passage and approval by the Mayor.


COUNCILMAN

APPROVED AS TO FORM AND
LEGALITY, SEPTEMBER 18, 1981.


BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, 19____, the _____ day of _____, at _____ o'clock _____ M., E.S.T.

DATE: _____

CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by GiaQuinta, seconded by Schmidt, and duly adopted, placed on its passage. PASSED (~~Lost~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>9</u>	_____	_____	_____	_____
BURNS	<u>✓</u>	_____	_____	_____	_____
EISBART	<u>✓</u>	_____	_____	_____	_____
GiaQUINTA	<u>✓</u>	_____	_____	_____	_____
NUCKOLS	<u>✓</u>	_____	_____	_____	_____
SCHMIDT, D.	<u>✓</u>	_____	_____	_____	_____
SCHMIDT, V.	<u>✓</u>	_____	_____	_____	_____
SCHOMBURG	<u>✓</u>	_____	_____	_____	_____
STIER	<u>✓</u>	_____	_____	_____	_____
TALARICO	<u>✓</u>	_____	_____	_____	_____

DATE: 12-8-81

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL), (APPROPRIATION) ORDINANCE- (RESOLUTION) No. 07-98-81 on the 8th day of December, 1981.

ATTEST: Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

(SEAL) John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of December, 1981, at the hour of 11:30 o'clock A M., E.S.T. Charles W. Westerman

CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 9th day of Dec. 1981, at the hour of 4 o'clock P M., E.S.T.

Winfield C. Moses, Jr.
WINFIELD C. MOSES, JR.
MAYOR

BILL NO. R-81-09-30

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN
ORDINANCE A DECLARATORY RESOLUTION designating an "Urban Development
Area" under I.C. 6-1.1=12.1

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

MARK E. GIAQUINTA, CHAIRMAN

SAMUEL J. TALARICO, VICE CHAIRMAN

VIVIAN G. SCHMIDT

JAMES S. STIER

DONALD J. SCHMIDT

Mark E. Giaquinta
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier
Donald J. Schmidt

RESOLUTION NO. 81-53

RESOLUTION OF FORT WAYNE REDEVELOPMENT
COMMISSION, GOVERNING BODY OF CITY OF
FORT WAYNE, DEPARTMENT OF REDEVELOPMENT
RECOMMENDING TO THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE ADOPTION OF THE
DECLARATORY RESOLUTION DESIGNATING A
PARCEL OF REAL ESTATE AS AN URBAN
DEVELOPMENT AREA

WHEREAS, following the introduction of a Declaratory Resolution by the Common Council of the City of Fort Wayne Concerning an abatement of taxes for certain "urban development areas", said Resolution was forwarded to the Fort Wayne Redevelopment Commission for a public hearing and recommendation to the Common Council of the City of Fort Wayne; and

WHEREAS, the Fort Wayne Redevelopment Commission caused notice of the introduction of said Resolution, and purport thereof, to be published, and notice of the fact that maps and plats could be inspected together with said Declaratory Resolution at the office of the Redevelopment Commission, and that a public hearing would be held on November 9, 1981, at 7:30 P.M. (EST) in the Board of Works Hearing Room of the City-County Building in the City of Fort Wayne, Indiana, at which Hearing remonstrances and objections from persons interested in or affected by the proceedings pertaining to the Declaratory Resolution would be received and heard by the Commissioners and the Commissioners after considering the same would take final action either approving, or modifying and approving, or rescinding the Declaratory Resolution, which notice was published in the Fort Wayne Journal-Gazette and the Fort Wayne News-Sentinel once each week for two (2) consecutive weeks, the last publication in each instance being at least ten (10) days before the date fixed for the hearing; and

WHEREAS, said public hearing was held on November 9, 1981, at the time and place mentioned in the public notice; and

WHEREAS, at said meeting, the Commission stated that it would, and it did, afford an opportunity to all persons and organizations, including representatives of organizations, to express their views with respect to said Declaratory Resolution; and

WHEREAS, the Commission requested all persons desiring to file written remonstrances or objections to do so at said meeting; and

WHEREAS, the Commission has heard all persons who have expressed views or voiced any objections to said Declaratory Resolution, has considered their objections so voiced, and therefore, the Commission is prepared to take final action on said Declaratory Resolution; and

WHEREAS, the Commission, after careful consideration of comments and objections made at said hearing and upon further review of the entire proceedings, finds that the following-described parcel of real estate lies within a geographic area located within the corporate limits of the City of Fort Wayne which is undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property, to-wit:

Lot Number 489 in Hanna's Addition to the City of Fort Wayne, according to the recorded plat thereof,

located at and commonly known as:

120 West Wayne Street
Fort Wayne, Allen County, Indiana

NOW, THEREFORE, be it resolved that the Fort Wayne Redevelopment Commission, Governing Body of the City of Fort Wayne, Department of Redevelopment, does hereby find and recommends designation of the above-described parcel of real estate in the City of Fort Wayne, Indiana, as an "urban development area" for purpose of I.C. 6-1-12.1, as enacted by the General Assembly of the State of Indiana.

BE IT FURTHER RESOLVED that the Commission now declares that the above-described parcel of real estate lies within a geographic area within the corporate limits of the City of Fort Wayne, which is undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property.

BE IT FURTHER RESOLVED that the above-described parcel of real estate and the proposed use of the parcel for redevelopment or rehabilitation are in furtherance of the City development objectives.

BE IT FURTHER RESOLVED that the designation "urban development area" shall be effective only:

1. relative to the projects of redevelopment or rehabilitation described by the property owners in data and documentation submitted to the Common Council of the City of Fort Wayne,
2. if said project for redevelopment or rehabilitation is initiated within two (2) years from the date of this designation, and
3. for a period of ten (10) years after the date of this designation.

BE IT FURTHER RESOLVED that the adoption of the Declaratory Resolution designating said parcel of real estate as an "urban development area" is now hereby recommended to the Common Council of the City of Fort Wayne.

ADOPTED at a public meeting of the Fort Wayne Redevelopment Commission, Governing Body of the City of Fort Wayne, Department of Redevelopment in the Board of Works Hearing Room on the 9th Floor of the City-County Building in the City of Fort Wayne, Indiana, which meeting was called and held at 7:30 P.M. (EST) on November 9, 1981, and duly recorded in the records of said Fort Wayne Redevelopment Commission.

FORT WAYNE REDEVELOPMENT COMMISSION

By 
Robert W. Hutmner, President

By 
Hana L. Stith, Secretary

ATTEST:


Gary E. Wasson, Executive Director

ADOPTED: November 9, 1981

5424



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk -:- room 122

September 4, 1981

Bruce O. Boxberger, City Attorney
9th Floor
City-County Building
One Main Street
Fort Wayne, IN 46802

Dear Mr. Boxberger:

Please find enclosed an Application for consideration for designation as an urban development area with attached receipt for the \$50.00 filing fee from Ivan A. Lebamoff.

As per procedure established by Resolution No. R-80-79, I am requesting that your department prepare a Declaratory Resolution, which designates an "urban development area" (qualification for tax abatement), should be prepared in accordance with Resolution No. R-80-79 and Public Law No. 69, Acts of 1977, as amended by Public Law No. 56, Acts of 1979.

Sincerely yours,

Charles W. Westerman
City Clerk

CWW/ne
Enclosures

CITY CLERK'S OFFICE
Room 122 City-County Bldg.
One East Main Street
Salt Lake City, Utah 84102

NO. _____

Feb 3 1981

RECEIVED FROM

Chambers Associates

Twenty Five

DOLLARS

Account Total \$ _____

Amount Paid \$ _____

Balance Due \$ _____

(Twenty Five)

"THE EFFICIENCY LINE" AN AMPAD PRODUCT

APPLICATION FOR CONSIDERATION FOR
DESIGNATION AS AN URBAN DEVELOPMENT AREA

This Application is to be completed and signed by the owner of the property where property redevelopment or rehabilitation is to occur. The Common Council of the City of Fort Wayne reviews this Application for designation as an "Urban Development Area" in discharge of its responsibility under Public Law 69, enacted by the General Assembly of the State of Indiana in 1977 and amended in 1979. The Common Council makes no representation as to the effect of a designation granted by the Council for purposes of any further applications or approvals required under Public Law 69, and makes no representation to an applicant concerning the validity of any benefit conferred under Public Law 69.

1. Address of Property _____
120 West Wayne Street
Fort Wayne, IN 46802
2. Legal Description of Property _____
Lot Number 489 in Hanna's
Addition to the City of Fort
Wayne, according to the
recorded plat thereof.
3. Township Wayne
4. Taxing District Wayne Township
5. Current Zoning District _____
B3A Zoning District
6. Variance Grant (if any) _____
N/A
7. Owner(s) _____
Ivan A. Lebamoff and
Katherine S. Lebamoff
8. Address of Owner(s) _____
205 East Packard Avenue
Fort Wayne, IN 46806
9. Telephone Number _____
423-2581 (Office)
744-4960 (Home)
10. Agent of Owner (if any) _____
Stephen J. Wesner, Realtor
11. Address _____
303 Strauss Building
Fort Wayne, IN 46802
12. Telephone Number _____
424-6277
13. Relationship of Agent to Owner _____
None
14. Instrument Number of Commitments or Covenants Enforceable by City (if any) _____
None
15. Current Use of Property
(a) How is property presently used? _____
Retail on first floor; offices on second floor.
(b) What structure(s) (if any) are on the property? _____
60 x 150 foot brick and reinforced concrete two-story
building with a full basement.
(c) What is the condition of this structure/these structures? _____
Structurally it is sound; internally it needs total facelift.
16. Current Assessment on Land and Improvements
Land, \$ 30,000
(a) What is the amount of latest assessment? Impr., \$ 47,100
Total, \$ 77,100
(b) What is the amount of total property taxes paid the immediate past year? (Indicate amount of land assessment and assessment on improvements) \$5,118.66 total paid in 1980.
Land, \$30,000; Improvements, \$47,100.

SEP 04 1981
CHARLES W. WESTERMAN
CITY CLERK

SEP 04 1981
CHARLES W. WESTERMAN
CITY CLERK

17. Description of Project Rehabilitate access corridors, toilet rooms and windows.
18. Development Time Frame
- (a) When will physical aspects of development or rehabilitation begin? October 1, 1981
- (b) When is completion expected? December 1, 1981
19. Cost of project (not including land cost) Approximately \$75,000 to \$80,000/
20. Permanent Jobs Resulting from Completed Project
- (a) How many permanent employees will be employed at or in connection with the project after it is completed? At least 15 present jobs will remain in the Central Business District; another 20 jobs will be brought to district by tenant occupancy.
- (b) What kind of work will employees be engaged in? General services.
- (c) How many jobs new to Fort Wayne will be created as a result of project completion? Hopefully, new tenant attractions will bring 20 new jobs to Central Business District.
21. Additional municipal services necessitated by project (eg. enlargement of sewer, improvement of streets) None
22. Undesirability for Normal Development
- What evidence can be provided that the project property is located in an area "which has become undesirable for, or impossible of, normal development and occupancy because of a lack of age, development, cessation of growth, deterioration of improvements or character of occupancy, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property"?
- The Central Business District speaks for itself. Improvements to the structure will be the first completed on the premises since early 1940.
23. Furtherance of City Development Objectives (circle letter and explain)
- (a) Will the project improve utilization of vacant under-utilized land? No, but it will add another segment to Central Business District vitality.
- (b) Will the project improve or replace a deteriorated or obsolete structure? No, but it will keep a reasonably prominent CBD structure from falling into further disrepair.

- (c) Will the project preserve a historically or architecturally significant structure? This is not an historical structure, but neither is it architecturally significant.
- (d) Will the project contribute to the conservation and/or stability of a neighborhood? Yes, this project will help to stimulate business in the Central Business District.
- (e) Will the project provide a more attractive appearance for the City (eg. restoration of a facade, landscaping, new design)? Yes, all the upper level windows will be replaced to make the building more attractive. Ultimately, the facade will be completely restored.

24. Zoning Restrictions

Will this project require a rezoning, variance, or approval before construction is initiated?

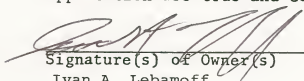
 Yes X No

25. Financing on Project

What is the status of financing connected with the project?

At the present time, my private sector funds.

I hereby certify that the information and representations on this Application are true and complete.


Signature(s) of Owner(s)
Ivan A. Lebamoff

September 3, 1981
Date

**FORT WAYNE
REDEVELOPMENT
COMMISSION**

DATE: November 13, 1981
TO: Councilman Mark Giaquinta
FROM: Gary E. Wasson, Executive Director
SUBJECT: City Council Bill No. 81-09-30
Tax Abatement - 120 West Wayne Street

Background

On September 18, 1981, Declaratory Resolution No. 81-09-30 was introduced in City Council requesting designation of the property located at 120 West Wayne Street as an "Urban Development Area" for purposes of tax abatement. The Resolution was then referred to the Redevelopment Commission for Public Hearing.

Action

The Fort Wayne Redevelopment Commission conducted the Public Hearing on November 9, 1981. No one spoke in opposition to the abatement requested.

Recommendation

Following the Public Hearing, the Redevelopment Commission at their Regular Meeting on November 9, 1981, did adopt the attached Resolution No. 81-53 recommending to the Common Council a "Do Pass" to your Declaratory Resolution designating:

Lot Number 489 in Hanna's Addition to
the City of Fort Wayne, according to
the recorded plat thereof,

located at and commonly known as:

120 West Wayne Street
Fort Wayne, Allen County, Indiana.

as an "Urban Development Area" for purposes of I.C. 6-1.1-12.1, as enacted by the General Assembly of the State of Indiana.

Rationale

The Redevelopment Commission staff received the aforementioned application and found that:

Ivan A. Lebamoff is going to restore the present building at 120 West Wayne, which will house modern office spaces upstairs and a retail area downstairs. This rehabilitation will cost approximately \$80,000.

Councilman Mark Giaquinta
Page 2
November 13, 1981

It is the opinion of the Commission that the property at 120 West Wayne qualifies as an "Urban Development Area" in view of the fact that the proposal meets many of the objectives of the Redevelopment Commission, as stated in Resolution No. 78-5 authorizing implementation of procedures with regard to Public Law No. 69, as amended. The objectives, which are addressed by the Ivan A. Lebamoff proposal are as follows:

- (a) effective utilization of underutilized land,
- (b) improvement in the physical appearance of the city,
- (c) increase in employment
- (d) neighborhood conservation and stabilization, and
- (e) rehabilitation or replacement of obsolete or deteriorated structures

Additional positive weight should be given to the proposal since:

(1) The property is within the area previously determined by the Commission in the Downtown First Stage Development Studies as being underutilized.

If you have any questions, please contact this office.

GEW/jes
cc: Charles Westerman
City Clerk

I, Hana L. Stith, the duly appointed, qualified,
and acting Secretary of the Fort Wayne Redevelopment Commission,
do hereby certify that the attached Resolution is a true and
correct copy of a Resolution adopted at the Regular
Meeting of the Fort Wayne Redevelopment Commission, Governing
Body of the City of Fort Wayne, Department of Redevelopment,
held on the 9 day of November, 1981 at
7:30 P.M.

IN TESTIMONY WHEREOF, I have hereunto set my hand this.

9 day of November, 1981.

Hana L. Stith
Hana L. Stith, Secretary